

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chair Donald J. Steinbeisser, on February 15, 2011 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Gary Branae (D)
Sen. Bob Hawks (D)
Sen. Cliff Larsen (D)
Sen. Frederick (Eric) Moore (R)
Sen. Terry Murphy (R)

Members Excused:

Sen. Taylor Brown, Vice Chairman (R)
Sen. Rowlie Hutton (R)
Sen. Rick Ripley (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 300, 2/11/2011; SB 296, 2/11/2011; HJ 4, 2/11/2011

Executive Action: SB 207; SB 277; SB 237; SB 296; HJ4

HEARING ON SB 300

Opening Statement by Sponsor:

00:01:12 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 300, Revise wheat and barley committee selection of directors.

Proponents' Testimony:

00:04:03 Gordon Stoner, President, Montana Grain Growers Association (MGGA)
00:09:34 Knud Grosen, MGGA and representing himself
00:11:23 Brian Eggebrecht, MGGA
00:12:40 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

Opponents' Testimony:

00:13:46 Cort Jensen, Attorney, Department of Agriculture (AGS)
00:19:26 Kim Falcon, Montana Wheat and Barley Committee
00:23:05 Leonard Schock, Montana Wheat and Barley Committee
00:26:38 Chris Kolstad, Montana Wheat and Barley Committee
00:27:38 Olf Norgaard, Organic Farmer
00:28:43 Chris Christiaens, Montana Farmers Union
00:32:17 Bob Stevens, representing himself

Informational Testimony:

None

Questions from Committee Members and Responses:

00:36:43 Sen. Brown
00:37:16 Mr. Stoner, MGGA
00:37:46 Sen. Brown
00:38:11 Mr. Stoner
00:39:20 Sen. Hawks
00:40:10 Mr. Schock
00:40:49 Sen. Hawks
00:41:06 Mr. Schock
00:41:18 Sen. Brown
00:42:08 Mr. Schock
00:42:52 Sen. Moore
00:43:22 Mr. Stoner
00:44:13 Sen. Moore
00:44:46 Mr. Stoner
00:44:55 Chairman Steinbeisser
00:45:06 Mr. Stoner
00:45:48 Sen. Moore
00:46:06 Ms. Rolf, MFBF
00:46:55 Sen. Moore

00:46:58 Mr. Christiaens, Montana Farmers Union

Closing by Sponsor:

00:47:37 Sen. Hamlett

[EXHIBIT\(ags37a01\)](#)

HEARING ON SB 296

Opening Statement by Sponsor:

00:56:41 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 296, Increase penalty for each violation of dept. of ag quarantine.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

00:59:17 Cort Jensen, Department of Agriculture (AGS)

Questions from Committee Members and Responses:

01:01:17 Sen. Brown
01:01:38 Mr. Jensen, AGS
01:03:45 Sen. Brown
01:05:10 Mr. Jensen
01:06:28 Sen. Brown
01:06:52 Sen. Tutvedt
01:07:41 Sen. Brown
01:08:22 Sen. Tutvedt
01:09:29 Sen. Steinbeisser
01:10:08 Sen. Tutvedt
01:10:28 Sen. Steinbeisser
01:10:40 Sen. Tutvedt

Closing by Sponsor:

01:10:57 Sen. Tutvedt

HEARING ON HJ 4

Opening Statement by Sponsor:

01:11:41 Rep. Ken Peterson (R), HD 46, opened the hearing on HJ 4, Resolution opposing designation of national monuments without state's consent.

Proponents' Testimony:

01:19:59 Ariel Overstreet, Montana Stockgrowers Association and Montana Cattle Women, Inc.

01:22:28 Nicole Rolf, Montana Farm Bureau Federation

01:26:20 Lilya McAlister, representing herself

EXHIBIT(ags37a02)

01:28:08 Aeris Reilly, Montana Farmers Union

01:29:24 Niki Sardot

01:30:09 Sheryl Wood, Montana Association of Counties (MACo)

01:30:56 William Biernat, Executive Director, Montanans in Action

01:32:25 Judy Kline

Opponents' Testimony:

01:33:29 Janelle Holden, The Wilderness Society

01:36:44 Mark Good, Montana Wilderness Association

EXHIBIT(ags37a03)

EXHIBIT(ags37a04)

01:42:34 Dyrck Van Hyning, Great Falls

EXHIBIT(ags37a05)

Informational Testimony:

01:50:36 Clarence Getz

Questions from the Committee:

01:51:48 Sen. Ripley

01:52:28 Ms. Holden

01:53:04 Sen. Ripley

01:53:18 Ms. Holden

Closing by Sponsor:

01:54:13 Rep. Peterson

01:59:01 Recess

02:04:44 Reconvene

Sen. Hawks, Sen. Ripley and Sen. Windy Boy not present

EXECUTIVE ACTION ON SB 207

02:05:30 **Motion:** Sen. Moore moved that **SB 207 DO PASS.**

02:05:37 **Motion:** Sen. Brown moved that **SB 207 BE AMENDED.**
EXHIBIT(ags37a06)

Discussion:

02:05:56 Sen. Brown
02:09:53 Sen. Larsen
02:10:03 Sen. Brown
02:10:16 Sue O'Connell, Legislative Services Division (LFD)

02:10:40 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:10:54 **Motion:** Sen. Moore moved that **SB 207 DO PASS AS AMENDED.**

Discussion:

02:11:15 Sen. Stewart-Peregoy
02:13:09 Sen. Brown
02:13:25 Sen. Stewart-Peregoy
02:13:49 Sen. Brown
02:13:55 Ms. O'Connell, LSD
02:14:08 Sen. Stewart-Peregoy

02:14:24 **Vote:** Motion carried 9-2 by roll call vote with Sen. Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Hawks, Sen. Ripley and Sen. Windy Boy voted by proxy.

02:16:22 Ms. O'Connell
02:16:28 Sen. Stewart Peregoy

EXECUTIVE ACTION ON SB 277

02:16:45 **Motion:** Sen. Moore moved that **SB 277 DO PASS.**

02:17:20 **Motion:** Sen. Moore moved that **SB 277 BE AMENDED.**
EXHIBIT(ags37a07)

Discussion:

02:17:55 Sen. Brown
02:18:22 Sen. Moore
02:18:32 Ms. O'Connell
02:19:02 Sen. Brown
02:19:32 Sen. Moore

02:19:46 Sen. Brown
02:20:25 Sen. Moore
02:20:48 Sen. Steinbeisser
02:21:01 Sen. Moore

02:21:50 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:21:55 **Motion:** Sen. Moore moved that **SB 277 DO PASS AS AMENDED.**

Discussion:

02:22:04 Sen. Moore
02:22:54 Sen. Brown
02:23:38 Christian Mackay, Executive Officer, Board of Livestock
02:24:38 Sen. Brown

02:24:52 **Vote:** Motion carried unanimously by roll call vote. Sen. Hawks, Sen. Ripley and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 237

02:26:00 **Motion:** Sen. Moore moved that **SB 237 DO PASS.**

02:26:24 **Motion:** Sen. Moore moved that **SB 237 BE AMENDED.**
EXHIBIT(ags37a08)

Discussion:

02:26:35 Sue O'Connell, Legislative Services Division (LSD)
02:27:41 Sen. Moore

02:28:28 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:28:40 **Motion:** Sen. Moore moved that **SB 237 DO PASS AS AMENDED.**

Discussion:

02:28:50 Sen. Brown
02:30:01 Sen. Steinbeisser
02:30:19 Sen. Branae
02:30:34 Sen. Moore
02:31:08 Sen. Larsen
02:32:06 Sen. Steinbeisser
02:32:16 Sen. Brown
02:33:00 Sen. Stewart-Peregoy

02:33:39 **Vote:** Motion carried 6-5 by roll call vote with Sen. Branae, Sen. Hawks, Sen. Murphy, Sen. Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Hawks, Sen. Ripley and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 296

02:35:44 **Motion:** Sen. Murphy moved that **SB 296 DO PASS.**

Discussion:

02:36:01 Sen. Steinbeisser

02:36:06 Sen. Murphy

02:36:26 Sen. Moore

02:36:48 **Vote:** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.
Sen. Hawks and Sen. Windy Boy were excused.

EXECUTIVE ACTION ON HJ 4

02:37:28 **Motion:** Sen. Moore moved that **HJ 4 BE CONCURRED IN.**

Discussion:

02:37:41 Sen. Branae

02:38:21 Sen. Moore

02:38:49 Sen. Larsen

02:39:43 Sen. Stewart-Peregoy

02:41:30 Sen. Steinbeisser

02:41:43 Sen. Hutton

02:42:23 **Vote:** Motion carried 7-4 by voice vote with Sen. Branae, Sen. Hawks, Sen.
Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Brown, Sen. Hawks and
Sen. Windy Boy voted by proxy.

Additional Exhibits:

EXHIBIT(ags37a09)

Written testimony on SB 300

EXHIBIT(ags37a10)

Information on SB 237 from Ken McDonald, Montana Fish, Wildlife and Parks

EXHIBIT(ags37a11)

Information on SB 277 from Christian Mackay, Executive Officer, Montana Board of Livestock

ADJOURNMENT

Adjournment:

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([ags37aad.pdf](#))